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DE RUEHKH #0420/01 0841358  
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FM AMEMBASSY KHARTOUM  
TO RUEHC/SECSTATE WASHDC IMMEDIATE 3357  
INFO RUCNFUR/DARFUR COLLECTIVE  
RUEHGG/UN SECURITY COUNCIL COLLECTIVE  
RHMFISS/CJTF HOA

UNCLAS SECTION 01 OF 02 KHARTOUM 000420

DEPT FOR AF A A/S CARTER, SE GRATION, AF/SPG, DRL  
NSC FOR MGAVIN AND CHUDSON  
DEPT PLS PASS USAID FOR AFR/SUDAN  
ADDIS ABABA ALSO FOR USAU

SENSITIVE  
SIPDIS

E.O. 12958: N/A

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SUBJECT: SUDANESE CIVIL SOCIETY DETERMINED TO STAY IN THE FIGHT

¶1. (SBU) SUMMARY. Key independent civil society actors, who have been implementing USG-supported civic and voter education and human rights activities in northern Sudan, affirmed that they are committed to stay in the fight to maintain space for civic participation. They intend to do so despite the regime's use of the ICC indictment as an excuse to tighten the noose around the neck of civil society. Civic activists pleaded for donor flexibility under the current conditions, and for their most trusted international partners not to abandon them now at their hour of greatest need. End summary.

¶2. (SBU) At a March 24 meeting with key national civil society organizations (CSOs), which have received small grants from USAID's Office of Transition Initiatives, leading civic activists told USAID staff that those CSOs remaining active in the wake of the expulsion of 13 international NGOs and three national NGOs believe it is only a matter of time before the Government of Sudan (GoS) revokes the registration of more organizations. They said that the "evaluation" team from HAC formed prior to the ICC indictment continues to investigate international and national organizations.

¶3. (SBU) Dr. Albaqir Alafif Mukhtar, director of the Khatim Adlan Center for Enlightenment (KACE), told USAIDoff that "we are all in violation of the law." He said that after the GoS refused to heed CSOs' calls to amend the deeply flawed Humanitarian and Voluntary Work Act passed in 2006, the CSOs obtained a verbal agreement from the State Minister for Humanitarian Affairs (and ICC indictee) Ahmed Haroun that Article 7 of the Act would be "overlooked" by HAC. Article 7 requires NGOs to obtain approval from HAC prior to fundraising and accepting donations. Dr. Mukhtar said that all independent CSOs receive donor funds without obtaining HAC permission, and until now HAC has ignored this. At any moment, should the GoS decide it is displeased with CSOs, or the CSOs push too far on advocacy issues related to democracy and human rights, HAC could legally dissolve them on this basis.

¶4. (SBU) Dr. Mukhtar stated, and other participants confirmed, that if the GoS closes their organizations down, they will continue their work by whatever means necessary and accept the risks. They are willing to consider working without official registration, continuing under the auspices of other organizations, setting up new organizations, and devising offshore methods of accessing funds. The group noted, however, that such arrangements would require strong support and flexibility on the part of their donors and partners. They also said that apart from USAID/OTI's funding through PADCO-AECOM (which was among the expelled organizations,) there are very few other donors offering direct support to CSOs in northern Sudan. They added there are none that use OTI's in-kind grants mechanism, which provides rapid, flexible funding for small CSOs that may never have received outside assistance before.

¶5. (SBU) The assembled group, whose experience spans thirty years of civic and political engagement in Sudan, said they had expected the

recent expulsions and crackdown on local organizations as neither is new in their experience. These activists, many of whom continued operating during much more repressive times when they could only meet in their houses and all civic activities were shut down, said that Sudanese civil society has a high-level of experience and resilience. This allows them to navigate the hurdles imposed by the regime, even if such obstacles become more nasty and brutish.

¶6. (SBU) By all accounts, the operating environment for civil society may get even worse. Dr. Amin Mekki Medani, a prominent human rights activist who provided legal aid to the Darfurians in Khartoum victimized during and after the Omdurman crisis last May, pointed to the regime's increasing intolerance of any dissenting views. He said the extent to which the NCP will go to protect itself was best demonstrated by the way the regime shut out the SPLM in its decision to expel the NGOs. The group cited the recent incidents of violent repression of free speech on university campuses as another example of worsening conditions for independent voices. Dr. Asha Khalil al Karib, a long-time veteran of Sudanese civil society and currently director of the Sudanese Organization for Research and Development (SORD), described the atmosphere on university campuses, which at present have been militarized. She noted these campuses now are patrolled by NCP-affiliated students who carry sticks and guns to harass and threaten other students individually. She said her two sons, who are both young activists on campus, fear for their lives in a way they never did before.

¶7. (SBU) Dr. Shams al Din daw al Beit, a well-respected CPA and elections expert who has facilitated several USAID-supported civic education workshops, related the story of a medical doctor and member of a state legislative assembly who was picked up off the street and beaten. His offense: writing an article on a Sudanese

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Online website in which he stated that the regime's expulsion of the NGOs was a crime against humanity. Dr. daw al Beit said that he believes the regime's strategy is to "dry up the sources of support for any civil society that are a threat to a totalitarian regime." Dr. Buthaina Ahmed Elnaiem, a lecturer at Juba University in Khartoum who has done USAID-supported work on rights-based budget transparency issues, said that most people do not support the President's actions, but they are very passive, fearing the retribution that will come with speaking out. Mr. Ali Mohammed Ali, director of the USAID-supported Civic Education Center (and deputy secretary of the recently formed Sudanese-American Alumni Association, Post's initiative to engage alumni of USG-sponsored fellowships and visitor programs to the US,) commented that many CSOs are waiting for the ICC "storm" to die down before they take any action.

¶8. (SBU) Comment. These veteran activists know the "storm" has just begun. They are moving ahead with their work, including a meeting (planned before the ICC announcement) to bring together key CSOs working on elections. The goal of the meeting is to form an umbrella network for elections-related work, which USAID/OTI had previously intended to support through the PADCO-AECOM small grants program. HAC approval notwithstanding, the group intends to hold the meeting on March 30-31, with a first day of internal discussions and a second day of presentation to international donors. Embassy staff plan to attend the meeting and will report outcomes septel. Post is examining options for continued support to civil society in the current context, taking into account potential risks for implementing partners, both international and national.

FERNANDEZ